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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. MJ 09-389
09 Plaintiff,)
10 v.) DETENTION ORDER
11 JASON S. MEN,)
12 Defendant.)
13 _____)

14 Offense charged:

15 Count 1: DISTRIBUTION OF BZP, in violation of 21 U.S.C. §§ 841(a)(1),
16 841 (b)(1)C and 18 U.S.C. § 2.

17 Count 2: POSSESSION WITH INTENT TO DISTRIBUTE BZP, in violation of
21 U.S.C. §§ 841(a)(1), 841(b)(1)C and 18 U.S.C. § 2.

18 Date of Detention Hearing: August 17, 2009.

19 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
20 based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant

01 is a flight risk and a danger to the community based on the nature and the pending charges.

02 Application of the presumption is appropriate in the case.

03 (2) Defendant has a lengthy criminal history, including crimes of violence.

04 (3) Defendant has substantial substance abuse issues.

05 (4) Defendant has gang affiliations.

06 (5) Defendant has previously violated terms of supervised release, reflecting an
07 unwillingness or inability to comply with terms of supervision.

08 (6) Although strength of evidence is the least important of the factors to be
09 considered when making a detention decision, it cannot be ignored. The evidence against the
10 defendant is strong.

11 (7) There are no conditions or combination of conditions other than detention that
12 will reasonably ensure the safety of the community.

13 IT IS THEREFORE ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a correctional facility separate, to the extent practicable,
16 from persons awaiting or serving sentences or being held in custody pending appeal;

17 (2) Defendant shall be afforded reasonable opportunity for private consultation with
18 counsel;

19 (3) On order of a court of the United States or on request of an attorney for the
20 government, the person in charge of the corrections facility in which defendant is confined shall
21 deliver the defendant to a United States Marshal for the purpose of an appearance in connection
22 with a court proceeding; and

DETENTION ORDER

18 U.S.C. § 3142(i)

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(4) The Clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 17th day of August, 2009.

s/ James P. Donohue
United States Magistrate Judge